

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID BRESSELSMITH,

Plaintiff,

v.

NDOC, et al.,

Defendants.

Case No. 2:22-cv-02084-GMN-VCF

**ORDER GRANTING MOTION TO
EXTEND DEADLINE**

(ECF No. 10)

On May 3, 2023, the Court granted Plaintiff David Bresselsmith's motion to extend the deadline for him to file an amended complaint, and extended that deadline to June 5, 2023. (ECF No. 9). Bresselsmith now moves to extend the deadline a second time, arguing that he only recently received back his legal materials for this action after having been without them while he was in the infirmary following a protest that turned violent. (*Id.* at 2). Bresselsmith asks for an additional 45 days to prepare his amended complaint. The Court finds that good cause exists for a **final** extension of the deadline for Bresselsmith to file an amended complaint.

IT IS THEREFORE ORDERED that the motion to extend the deadline to file an amended complaint (ECF No. 10) is granted.

IT IS FURTHER ORDERED that Bresselsmith has **until July 17, 2023**, to file an amended complaint.

IT IS FURTHER ORDERED that if Bresselsmith chooses not to file an amended complaint and wants to proceed to mediation on his original complaint, he must file a notice with the Court **on or before July 17, 2023**, stating his intent to proceed to mediation on his original complaint. If Bresselsmith chooses to proceed to mediation on his original complaint, the Court will schedule an early inmate mediation conference as soon as possible.

IT IS FURTHER ORDERED that if Bresselsmith does not file either an amended complaint or notice with the Court stating his intent to proceed to mediation on his original complaint **on or before July 17, 2023**, the Court will schedule an early mediation conference on the original complaint and deny any leave to file an amended complaint until after mediation.

1 IT IS FURTHER ORDERED that if Bresselsmith chooses to file an amended complaint
2 **on or before July 17, 2023**, no further action is required of any Defendant or the Interested Party
3 Nevada Department of Corrections.
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5 DATED THIS 2nd day of June, 2023.
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7 CAM FERENBACH
8 UNITED STATES MAGISTRATE JUDGE
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